

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed February 3, 2004. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1-2, 4, 8-9, and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,563,882 issued to Bruno et al ("*Bruno*"). Applicants respectfully traverse these rejections.

Claim 1 is directed to a method for allocating a plurality of call resources during a conference call that includes conducting a conference call between three or more clients using a first call resource. The method further includes identifying a second call resource available to conduct the conference call, and transferring the conference call from the first call resource to the second call resource. *Bruno* does not disclose, teach, or suggest each of these limitations. For example, *Bruno* does not disclose, teach, or suggest transferring a conference call from a first call resource to a second call resource.

Bruno is directed to "a process for converting an existing or ongoing point-to-point multimedia telephone call into a bridged call wherein the point-to-point call terminal devices are connected to a common video bridge such as a multipoint control unit (MCU) ..." *Bruno*, Column 1, lines 15-22. However, a "point-to-point multimedia telephone call" is not a "conference call". A point-to-point multimedia telephone call involves only two clients, whereas a conference call involves three or more clients. *See*, The American Heritage College Dictionary, 3rd Edition, attached hereto as Exhibit A. Thus, *Bruno* does not disclose, teach, or suggest transferring a conference call from a first call resource to a second call resource. Instead, *Bruno* discloses the conversion of a point-to-point multimedia telephone call into a bridged call (e.g. conference call).

Nevertheless, in order to further distinguish the teachings of the present invention from *Bruno*, Applicants amend Claim 1 to specifically refer to conducting a conference call

between “three or more clients”. Accordingly, Applicants respectfully contend that Claim 1 is patentably distinguishable from *Bruno*.

Claims 2, 4, 8, and 9 each depend from Claim 1, and further define the inventive concepts of the present invention. For at least the reasons described above with regard to Claim 1, Applicants respectfully contend that Claims 2, 4, 8, and 9 are patentably distinguishable from *Bruno*.

Claim 21 is directed to a media gateway that includes an interface that is operable to receive media streams communicated by three or more clients participating in a conference call. The media gateway further includes a processing module coupled to the interface and operable to transfer the conference call from a first call resource to a second call resource. As discussed above with regard to Claim 1, *Bruno* does not disclose, teach, or suggest that a conference call is transferred from a first call resource to a second call resource. For at least these reasons, applicants respectfully contend that Claim 21 is patentably distinguishable from *Bruno*.

Section 103 Rejections

The Examiner rejects Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 4,477,895 issued to Casper et al. ("*Casper*"). The Examiner rejects Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 5,467,342 issued to Logston et al. ("*Logston*"). The Examiner rejects Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 6,081,513 issued to Roy. ("*Roy*"). The Examiner rejects Claims 7 and 10 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of U.S. Patent No. 5,625,407 issued to Biggs et al. ("*Biggs*"). Applicants respectfully traverse these rejections, for the reasons indicated below.

Each of Claims 3, 5, 6 and 7 each depend, either directly or indirectly, from Claim 1. Therefore, Applicants respectfully contend that Claims 3, 5, 6 and 7 are each patentably distinguishable from the cited portions of the references relied upon by the Examiner, for the same reasons discussed above with regard to Claim 1. Each of the rejections discussed above is based upon an improper reading of *Bruno* that assumes that a conference call is transferred from one resource to another resource. Instead, in accordance with the teachings of *Bruno*, a point-to-point multimedia telephone call is converted to a bridged call.

Claim 10 is directed to a communication system that includes ^{new} three or more clients operable to initiate or join a conference call and a media gateway operable to transfer the conference call from a first call resource to a second call resource. As discussed above with regard to Claim 1, *Bruno* does not disclose, teach, or suggest each of these limitations. Therefore, this rejection is based upon an improper reading of *Bruno* and Claim 10 is not obviated by the references cited by the Office Action.

The Examiner rejects Claims 19-20 under 35 U.S.C. § 103(a) as being unpatentable over *Bruno* in view of *Biggs* and U.S. Patent No. 6,275,575 issued to Wu ("*Wu*"). The Examiner rejects Claims 11-18 for reasons analogous to those presented with respect to Claims 2-9. Each of Claims 11-20 depend either directly or indirectly from Claim 10. Therefore, Applicants respectfully contend that each of Claims 11-20 are patentably

distinguishable from the references cited by the Office Action, for example, for the same reasons discussed above with regard to Claim 10. Each of these rejections is based upon the improper characterization of *Bruno* discussed above.

The Examiner rejects Claims 22-29 for reasons analogous to those presented with respect to Claims 2-9. The Examiner rejects Claims 30-38 for reasons analogous to those presented with respect to Claims 1-9. The Examiner rejects Claims 39-40 for reasons analogous to those presented with respect to Claims 1-2. Applicants respectfully traverse these rejections.

As discussed above, the Office Action relies upon an improper characterization of *Bruno* in the rejection of Claims 22-40. For at least this reason, Applicants respectfully contend that Claims 22-40 are patentably distinguishable from the references relied upon by the Examiner.

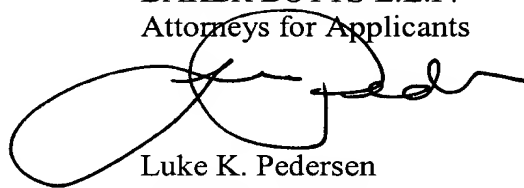
CONCLUSIONS

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The RCE fee of \$770.00 for large entity is enclosed herewith. No other fees are believed to be due. However, the Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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